

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	
	:	
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NOTICE OF CERTIFICATION OF MARY L. HALE

PLEASE TAKE NOTICE that:

1. The City of Detroit, through the undersigned counsel, hereby submits the attached certification pursuant to the Court's Order Granting Motion to Compel Full Clawback of Debtor's Document Production and Related Relief, dated May 13, 2014 [Dkt. 4710] (the "Clawback Order").

2. Mary L. Hale, Of Counsel at Jones Day, who oversaw the review and production of documents with respect to the Plan of Adjustment litigation has prepared the certification enclosed with this notice as Exhibit 1 in response to the Court's request.

Dated: May 16, 2014

Respectfully submitted,

/s/ Heather Lennox

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ATTORNEYS FOR THE CITY OF DETROIT

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
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SOUTHERN DIVISION**

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In re	:	Chapter 9
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CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
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**CERTIFICATION OF MARY L. HALE WITH THE PROVISIONS OF THE
ORDER GRANTING MOTION TO COMPEL FULL CLAWBACK OF
DEBTOR’S DOCUMENT PRODUCTION AND RELATED RELIEF**

1. I, Mary L. Hale, am Of Counsel at Jones Day and oversaw the review and production of documents with respect to the Plan of Adjustment litigation.

Pursuant to ¶ 5 of the Order Granting Motion to Compel Full Clawback of Debtor’s Document Production and Related Relief (May 13, 2014)[Dkt.

4710](the”Order”), I certify that on Thursday, May 15, 2014, I caused a new hard drive containing replacement images of all known privileged documents previously produced, including mediation-related documents, the disclosure of which is barred by the Mediation Order (Aug. 13, 2013)[Dkt. 322]. Each such image was replaced with a numbered sheet reading “Intentionally Left Blank.” The new hard drives were sent via nationally recognized overnight courier to the same parties as the

original hard drive had been sent (with some address changes requested by the parties).

2. Pursuant to ¶ 6 of the Order, I certify that all document images that remain on the replacement hard drive contain the same Bates numbers as they had on the original hard drive.

3. I identified the documents whose images were removed from the hard drive in several ways.

(a) First, my investigation into the causes of the production of certain mediation-privileged documents revealed that the mistake, in large part, resulted from a clerical error that caused a file to be mislabeled which, in turn, avoided quality control measures designed for higher-level review of potentially privileged materials. Any resulting violation of the Mediation Order was regrettable, but ultimately inadvertent. Regardless, all documents in that file were identified and re-reviewed by counsel for potential mediation (and other) privileged material.

(b) While the prior, initial review was designed to identify and withhold mediation privileged documents, I also caused numerous searches of the entire document production to be reexamined for any other mediation materials that might have been inadvertently produced. This included searches based on the

names (and email addresses) of attorneys involved in the mediations, the names and email addresses of the mediators, the names of advisors involved in the mediations, and the term “mediation” (and its variants) itself. We then did a page-by-page review of all documents returned from those searches in order to identify and remove any privileged material.

4. As with any large document production involving a substantial amount of electronic data, even the most careful review cannot completely eliminate the possibility of error. However, I believe that any remaining oversights in the production would be limited, inadvertent, and quickly correctable.

Dated: May 16, 2014 By: /s/ Mary L. Hale

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Certificate of Service

I, Heather Lennox, hereby certify that the foregoing Notice of Certification of Mary L. Hale was filed and served via the Court's electronic case filing and noticing system on this 16th day of May, 2014.

Dated: May 16, 2014

/s/ Heather Lennox

Heather Lennox